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Northern Ireland: The Peace Process

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Summary

For years, the British and Irish governments sought to facilitate a peaceful settlement to the conflict in Northern Ireland. After many ups and downs, the two governments and the eight parties participating in peace talks announced an agreement on April 10, 1998. However, the implementation of the resulting Good Friday Agreement continues to be difficult. This report will be updated as events warrant.

Overview

Since 1969, over 3,200 people have died as a result of political violence in Northern Ireland, which is a part of the United Kingdom. The conflict, which has its origins in the 1921 division of Ireland, has reflected a struggle between different national, cultural, and religious identities.¹ The Protestant majority (53%) in Northern Ireland defines itself as British and largely supports continued incorporation in the UK (unionists). The Catholic minority (44%) considers itself Irish, and many Catholics desire a united Ireland (nationalists). For years, the British and Irish governments sought to facilitate a political settlement. The Good Friday Agreement was reached on April 10, 1998. It calls for devolved government — the transfer of power from London to Belfast — and establishes a Northern Ireland Assembly and Executive Committee in which unionists and nationalists share power, a North-South Ministerial Council, and a British-Irish Council. It also contains provisions on decommissioning (disarmament), policing, human rights, security normalization, and prisoners, and recognizes that a change in Northern Ireland's status can only come about with the consent of the majority of its people. Voters in Northern Ireland and the Republic of Ireland approved the accord in referendums on May 22, 1998. Elections to the new Assembly took place on June 25, 1998.

Nonetheless, implementation of the peace agreement has been difficult, and sporadic violence from dissident groups continues. Instability in the devolved government has

¹ In 1921, the mostly Catholic, southern part of Ireland won independence from Britain. The resulting Republic of Ireland occupies about five-sixths of the island of Ireland; Northern Ireland occupies the remaining one-sixth. For more background, see CRS Report RL30368, *Northern Ireland: Implementation of the Peace Agreement during the 106th Congress*.

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been the rule rather than the exception. Unionists remain concerned about the IRA's commitment to decommissioning and non-violence, while nationalists worry about the pace of demilitarization, police reforms, and ongoing loyalist paramilitary activity.

Decommissioning, Devolved Government, and Recurrent Crises

After 27 years of direct rule from London, authority over local affairs was transferred to the Northern Ireland Assembly and Executive on December 1, 1999. On February 11, 2000, however, London suspended the devolved government because the Assembly's First Minister, Ulster Unionist Party (UUP) leader David Trimble, was poised to resign to protest the absence of IRA decommissioning. UK officials worried that Trimble would have been replaced by someone less supportive of, if not opposed to, the peace agreement. In May 2000, the UUP voted to reinstate the power-sharing institutions following an IRA pledge to put its arms "beyond use"; the Assembly reconvened in June 2000.

Unionists remained frustrated, however, by the IRA's lack of decommissioning. The IRA asserted that progress depended on London fully honoring its demilitarization and policing commitments. The June 7, 2001 general and local elections in Northern Ireland saw the more extremist Democratic Unionist Party (DUP) and IRA-linked Sinn Fein party gaining on the UUP and the moderate nationalist Social Democratic and Labor Party (SDLP). With no IRA disarmament, Trimble resigned as First Minister on July 1, 2001. London suspended the devolved government on August 10 for 24 hours to avoid calling new elections, which it feared would result in additional gains for hardliners. The peace agreement stipulates that the Assembly can go no longer than six weeks without a First Minister, or new elections must be called. The brief suspension reset the clock, giving negotiators another six weeks to try to avert the collapse of Belfast's political institutions.

In mid-August 2001, Colombian authorities arrested three suspected IRA members on charges of training FARC guerrillas to use explosives. The FARC is a 15,000-strong force that conducts attacks against the Colombian government and U.S. interests. Given U.S. efforts to help counter the FARC, Washington was troubled by the IRA's alleged ties to this group. But after the September 11 terrorist attacks, "President Bush declared war against international terrorism ... If the IRA wanted to hold on to their weapons any longer, the Americans would simply have none of it," according to an Irish diplomat.² Sinn Fein was facing political isolation and the loss of private American financial support.

Negotiations among Sinn Fein, London, and Dublin continued. On September 21, 2001, London suspended the Assembly again for 24 hours to buy more time. Finally, on October 23, following a public call for IRA decommissioning by Sinn Fein, the IRA announced that it reportedly had put a quantity of weapons "beyond use" to "save the peace process." In response, the UUP decided to rejoin the power-sharing executive. London began dismantling several more army watchtowers and promised to devise an

² As quoted in Kevin Cullen, "Sinn Fein Prods IRA on Disarming," *Boston Globe*, Oct. 23, 2001. In April 2004, the IRA suspects were found not guilty on the charges of training the FARC, but this verdict was overturned by a Colombian appeals court in December 2004. The three suspects have reportedly fled Colombia. For more information, see House International Relations Committee, "International Global Terrorism: Its Links with Illicit Drugs as Illustrated by the IRA and Other Groups in Colombia," 107th Cong., 2nd sess., Serial No. 107-87, Apr. 24, 2002.

amnesty arrangement for nationalist fugitives. On November 5, David Trimble was reelected First Minister; SDLP leader Mark Durkan was reelected Deputy First Minister.

Relative calm prevailed in early 2002. By March, the British had closed seven more military bases, bringing the total number vacated to 48 out of 105. On April 8, the IRA carried out a second act of decommissioning. Still, worries about the IRA's long-term commitment to the peace process persisted following allegations that the IRA was buying new weapons, updating its "hit list," and was behind the theft of intelligence documents from a police barracks in Belfast. In June, Trimble threatened to resign as First Minister again. In July, UK Prime Minister Tony Blair called for all paramilitary groups to "stand down" and threatened future sanctions against associated political parties. On October 4, police raided Sinn Fein's Assembly offices as part of an investigation into a suspected IRA spy ring and arrested four Sinn Fein officials. The UUP and DUP were outraged, and threatened to withdraw from the government unless Sinn Fein was expelled.

On October 14, 2002, London suspended Belfast's devolved government and reinstated direct rule. On October 17, Prime Minister Blair stated, "we cannot carry on with the IRA half in, half out" of the peace process. On October 19, the IRA responded that it did not pose a threat. Sinn Fein rejected all of the charges against its members, and claimed that the raids were intended to shift blame for the devolved government's collapse away from the unionists.

Since the suspension, London and Dublin have led talks with Northern Ireland's political parties to try to find a way forward. Both Prime Minister Blair and Irish Prime Minister Bertie Ahern emphasize that "acts of completion" are necessary. On April 23, 2003, Prime Minister Blair asserted that the IRA needed to answer three questions: "Does the IRA intend to end all activities, including targeting and weapons procurement? Does the IRA intend to put all its arms beyond use? Does the IRA's position mean a final closure of the conflict?" In response, Sinn Fein leader Gerry Adams sought to assure unionists of the IRA's "peaceful intent," stating on April 30 that the IRA's activities "will be consistent with its resolve to see the complete and final closure of the conflict." London and Dublin insisted, however, that Adams' words were not adequate guarantees.

On May 1, London postponed Northern Ireland's May 29 Assembly elections to give the parties more time to negotiate. At the same time, London and Dublin published a "Joint Declaration," which called for a further drawdown of UK forces, devolution of policing and justice, and an end to paramilitarism and sectarian violence; they also outlined a deal for "on-the-run" fugitives, and an independent body to monitor paramilitary ceasefires and political party compliance with the peace accord. To keep up political momentum, Blair and Ahern sought to implement some parts of the Joint Declaration ahead of a final deal; demolition of two more army watchtowers began on May 9, and steps were taken to establish the Independent Monitoring Commission (IMC).

By September 2003, negotiations were focused on assuring unionists that the IRA was winding down as a paramilitary force. On October 21, 2003, London announced that Assembly elections would be held on November 26. Within hours, Gerry Adams declared Sinn Fein's "total and absolute commitment to exclusively democratic and peaceful means" and called for all guns to be "taken out of Irish society." Next, the IRA asserted that Adams "accurately reflects our position" and announced a third act of

decommissioning. But, Trimble criticized the lack of details about the type and quantity of arms disposed, and put further progress “on hold.”

On November 26, 2003, voters in Northern Ireland went to the polls despite the deadlock over devolution. The largely anti-agreement DUP — led by the Reverend Ian Paisley — secured 30 Assembly seats to the UUP’s 27, thereby overtaking the UUP as the dominant unionist party. On the nationalist side, Sinn Fein, with 24 seats, surpassed the more moderate SDLP by six seats.³ On January 5, 2004, anti-agreement UUP rebel Jeffrey Donaldson defected to the DUP, along with two other UUP members, increasing the number of DUP seats to 33 and dropping the UUP to 24. The DUP asserted that it would not enter into government with Sinn Fein until the IRA disarms and disbands.

Most analysts predicted that the election results would make restoring devolution soon difficult. Negotiations continued, but remained stalemated for much of 2004. In September 2004, Prime Ministers Blair and Ahern led intensive talks with the parties. Although they concluded without a deal, London and Dublin believed that the IRA was ready to guarantee an end to paramilitary activity and the completion of decommissioning by the end of the year. A key sticking point reportedly was DUP demands for certain Assembly changes that nationalists feared could give the unionist parties a veto over ministerial initiatives. In November 2004, London and Dublin presented compromise proposals to Sinn Fein and the DUP to help break the deadlock. The transparency of the decommissioning process soon re-emerged as a major stumbling block. The IRA agreed to allow one Protestant and one Catholic clergyman to witness its weapons decommissioning, but the DUP called for photographic evidence to be taken and published. Sinn Fein and the IRA balked, viewing these demands as an attempt to humiliate the IRA. On December 8, Prime Ministers Blair and Ahern published their proposals for a comprehensive agreement in an effort to gain public support.⁴

Efforts to restore devolution, however, have been complicated by a bank robbery in Belfast on December 20. Police believe that the robbery was carried out by the IRA; Irish officials, including Prime Minister Ahern, have also claimed that Sinn Fein leaders were aware of the robbery plans. The IRA, backed by Sinn Fein, denies any involvement. Unionists say that the robbery further justifies their demands for photographic proof of any future IRA decommissioning. In early February 2005, the IRA announced that it was rescinding its offer to complete decommissioning and warned London and Dublin of the seriousness of the situation. Most analysts, however, say these statements are negotiating tactics and do not signal an end to the IRA’s ceasefire.

Sinn Fein and the IRA have also come under increasing pressure to address the issue of IRA criminality — including from the Catholic community — following the murder of Belfast man Robert McCartney during a bar brawl in late January 2005. The IRA has expelled three members, and Sinn Fein has suspended seven others accused of being involved. On March 8, 2005, the IRA announced that it had offered to shoot four men directly involved in the McCartney killing; the McCartney family declined this offer, which was strongly condemned by London, Dublin, and Washington. Sinn Fein insisted

³ For more information, see CRS Report RS21692, *Northern Ireland: The 2003 Election*.

⁴ For the text of the December 2004 Blair-Ahern proposals, see the Northern Ireland Office’s website [<http://www.nio.gov.uk>].

that the IRA statement was positive because it guaranteed the safety of any witnesses that might come forward. On April 6, Gerry Adams effectively called on the IRA to abandon violence and to pursue politics as an “alternative” to “armed struggle.” The next day, the IRA said it would consider Adams’ appeal; most observers do not expect an answer from the IRA until after the UK general election on May 5, 2005. Some suggested that Adams’ comments were politically motivated to bolster Sinn Fein’s election prospects. London and Dublin welcomed Adams’ statement but stressed that further progress in the peace process would depend on a complete and decisive end to all IRA activity.⁵

Implementing Police Reforms

The Royal Ulster Constabulary (RUC) — Northern Ireland’s former, 92% Protestant police force — was long viewed by Catholics as an enforcer of Protestant domination. The peace agreement called for an independent commission to help “ensure policing arrangements, including composition, recruitment, training, culture, ethos and symbols, are such that ... Northern Ireland has a police service that can enjoy widespread support from ... the community as a whole.” In June 1998, Prime Minister Blair appointed Chris Patten to head this commission. In September 1999, the Patten Commission released a report with 175 recommendations. It proposed a new name for the RUC, a new badge, and new symbols free of the British or Irish states. Other key measures included reducing the size of the force from 11,400 to 7,500, and increasing the proportion of Catholic officers. Unionists responded negatively, but nationalists were mostly positive.

In May 2000, the Blair government introduced the Police Bill in the House of Commons. Nationalists were critical, arguing that Patten’s proposals had been gutted. London responded that amendments would deal with human rights training, promoting 50-50 recruitment of Catholics and Protestants, and oversight responsibilities. The Police Bill became law on November 23, 2000. While some nationalist concerns had been addressed, Sinn Fein and the SDLP asserted that the reforms did not go far enough. In March 2001, recruiting began for the future Police Service of Northern Ireland (PSNI). To help ensure nationalist support, London proposed further concessions in July 2001, which included halving the anti-terrorist “Special Branch.”

In August 2001, the SDLP broke with Sinn Fein and accepted the British revisions; the SDLP agreed to nominate representatives to the Policing Board, a democratic oversight body. Despite Sinn Fein’s continued opposition, the Policing Board came into being on November 4, 2001. That same day, the RUC was renamed the PSNI, and the first class of recruits drawn 50-50 from both communities began their training. Sinn Fein maintains that the changes are largely cosmetic. Some say Sinn Fein’s absence from the Policing Board discourages Catholics from joining the PSNI. To assuage nationalist concerns further, London outlined plans in November 2002 for new policing legislation to provide more public accountability and eventually allow former paramilitaries to sit on Northern Ireland’s new District Policing Partnerships (DPPs), which seek to foster greater local involvement in policing. Paramilitary participation would be conditional on other “acts of completion.” DPPs came into being in March 2003. The Police (Northern Ireland) Act 2003 received Royal Assent in April 2003. In late November 2004, Sinn

⁵ “Sinn Fein President Calls on IRA to Abandon Violence,” *Irish Times*, Apr. 7, 2005; “Sinn Fein Leader Offers IRA an Alternative to Violence,” *New York Times*, Apr. 7, 2005.

Fein leader Gerry Adams met with PSNI chief Hugh Orde for the first time in the context of the search for a comprehensive deal to restore devolution.

U.S. Policy

The Bush Administration views the Good Friday Agreement as the best framework for a lasting peace in Northern Ireland. U.S. officials assert that trust and confidence can only be rebuilt if the IRA and other paramilitaries “go out of business.” They also stress that Sinn Féin must join the Policing Board. A U.S. representative sits on the Independent Monitoring Commission. U.S. officials have described the IRA’s February 2005 decision to withdraw its decommissioning offer as “unwelcome” and called on the IRA to disband following its March 2005 offer to shoot the McCartney killers. Members of Congress actively support the peace process. Some Members have also called for the IRA to stand down in the wake of the McCartney murder. Encouraged by the progress on police reforms, Members prompted the Administration in December 2001 to lift a ban on contacts between the FBI and the new PSNI. Congress had initiated this prohibition in 1999 because of the former RUC’s human rights record. Some Members remain concerned with human rights and accountability issues in Northern Ireland. In March 2005, a hearing was held on the status of public inquiries into four high-profile murders in Northern Ireland.⁶ The United States provides aid through the International Fund for Ireland (\$8.5 million requested for FY2006) and is an important source of investment.

Recent Legislation

S.Res. 84 condemns IRA violence and criminality. Introduced by Senator Kennedy, Mar. 17, 2005; passed the same day.

P.L. 108-447 (Dec. 8, 2004) appropriates \$18.5 million for the International Fund for Ireland as part of the FY2005 foreign operations spending measure in the Consolidated Appropriations Act 2005. Introduced as H.R. 4818 by Representative Kolbe, July 13, 2004.

P.L. 108-449 (Dec. 10, 2004) amends and extends the Irish Peace Process Cultural and Training Program Act (IPPCTPA) of 1998 through FY2008 to provide job and conflict resolution training to persons from Northern Ireland and the Republic of Ireland. Introduced by as H.R. 2655 by Representative Walsh, June 26, 2003.

H.Con.Res. 267 urges a full and impartial inquiry into the 1989 murder of Belfast attorney Patrick Finucane. Introduced by Representative Payne, July 25, 2003.

P.L. 107-228 (Sept. 30, 2002) authorizes Department of State appropriations for FY2002-2003. Section 701 sets conditions for FBI training of PSNI officers and requires the President to report on decommissioning and the status of several high-profile murder investigations. Introduced as H.R. 1646 by Representative Hyde, Apr. 27, 2001.

⁶ See House International Relations Committee, Subcommittee on Africa, Global Human Rights, and International Operations, “Northern Ireland Human Rights: Update on the Cory Collusion Inquiry Reports,” 109th Congress, 1st sess., March 16, 2005.